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9 **UNITED STATES DISTRICT COURT**
10 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
11 **SAN FRANCISCO DIVISION**

12 ELECTRONIC FRONTIER FOUNDATION,) Case No. 16-cv-02041-HSG
13)
14 Plaintiff,) **SECOND STIPULATION AND ORDER**
v.) **TO EXTEND DEADLINE FOR FILING**
15) **PLAINTIFF'S REPLY**
16 UNITED STATES DEPARTMENT)
OF JUSTICE,)
17 Defendant.)
18 _____

1 The parties stipulate and respectfully request the Court extend the deadline for filing
 2 Plaintiff's Reply in Support of its Motion for Partial Summary Judgment until December 1, 2016.
 3 Good cause exists for this request as follows:

4 1. On November 14, 2016, the parties sought, and the Court approved, a stipulated
 5 extension of time for the filing of Plaintiff's Reply. *See ECF No. 36.*

6 2. The parties sought this extension to accommodate discussions between the parties
 7 concerning the scope of the FOIA request, in an ongoing effort to narrow the scope of the litigation
 8 and partially resolve some of the areas in dispute without the Court's intervention. *See id.*

9 3. During the additional time, the parties have engaged in productive discussions
 10 concerning the proposed narrowing and its consequences for the litigation. However, because of the
 11 Thanksgiving holiday, the Department of Justice requires additional time to discuss the issue within
 12 the Department and with other affected government agencies.

13 4. Thus, and to facilitate their ongoing discussions, the parties request an additional brief
 14 extension of three days, to December 1, 2016, for the filing of Plaintiff's Reply.

15 5. This short extension will allow the parties to complete their discussions concerning
 16 the proposed narrowing. In the event the parties are unable to resolve their dispute, the new deadline
 17 will still allow for two full weeks before the currently scheduled hearing date.

18 Accordingly, the parties respectfully stipulate and request that the Court extend the deadline
 19 for filing Plaintiff's Reply to December 1, 2016.

20 DATED: November 23, 2016

/s/ Mark Rumold
Mark Rumold

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DATED: November 23, 2016

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DECLARATION PURSUANT TO LOCAL RULE 5-1(I)(3)

Pursuant to Civil L.R. 5-1(i)(3), I, Mark Rumold, declare that I obtained the concurrence of Rodney Patton, counsel for Defendant, United States Department of Justice, in the filing of this document.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed this 23rd day of November, 2016 in Kansas City, Missouri.

/s/ Mark Rumold
Mark Rumold

* * *

Upon consideration of the parties' stipulation concerning an extension of time in which to file Plaintiff's Reply, it is:

ORDERED that Plaintiff's deadline to file its Reply is extended to December 1, 2016.

DATED: November 28, 2016


HON. HAYWOOD S. GILLIAM, JR.
UNITED STATES DISTRICT JUDGE